



2612
8rw

81267RRS
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David L. Funston, et al

CAMERA HAVING VERIFICATION
DISPLAY WITH VIEWER ADAPTATION
COMPENSATION FOR REFERENCE
ILLUMINANTS AND METHOD

Serial No. 09/747,680

Filed 22 December 2000

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 2612

Examiner: Kelly L. Jerabek

I hereby certify that this correspondence is
being deposited today with the United States
Postal Service as first class mail in an
envelope addressed to Commissioner For Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.

Jeanette Kramarz
Jeanette Kramarz

September 22, 2004
Date

RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION

In response to the restriction requirement set forth in the Office Action mailed August 26, 2004, the Applicants hereby confirm election of species 6. The Applicants further respectfully traverse the thirteen-way restriction requirement. The present application is one of three pending applications using a common specification, each of which is currently pending before this Examiner, namely, Serial No. 09/748,664, Serial No. 09/747,680 and Serial No. 09/748,667. In each of these applications the Examiner has issued the same thirteen-way restriction requirement.

The Applicants respectfully submit that the Examiner has failed to show adequate justification for a thirteen-way restriction in this matter. In particular, it is the Applicants' position that the species identified as species 1-3, are sub-species of the species elected hereby. Further, it is the Applicants' position that to the extent that subject matter from other non-elected species are used in the elected species, such other non-elected species are sub-species with respect to the elected species. It is the Applicants' further position that species 4 is common to the subject matter of the elected species 6 and non-elected species 7 and should be

included in species 6 and 7. Applicants reserve the right to submit further argument in support of the traverse.

All claims in this application are believed to be generic to the elected species.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roland R. Schindler II', written over a horizontal line.

Attorney for Applicant(s)
Registration No. 40,802

Roland R. Schindler II/jrk
Rochester, NY 14650
Telephone: 585-588-2736
Facsimile: 585-477-1148